

PLANNING COMMISSION
SPECIAL MEETING
APRIL 29, 2004 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Present: Sherrard, Pritchard, Roper, Steinfeld, and Alternates Munn, and Kane
Staff: Glemboski, Moulding

Chairman Sherrard appointed Kane to sit for Gibson.

II. PUBLIC HEARINGS

1. Mystic Weigh Subdivision, Flanders Road (76 lots) - continued

Chairman Sherrard re-opened the public hearing at 7:05 p.m. Attorney Harry Heller stated that all of the applicant's information has been submitted. Staff read into the record a letter from Groton Utilities stating that in order to provide water to the proposed residences, it will be necessary for the applicant to extend water on Flanders Road. Groton Utilities will prepare the design for the water main and the Applicant will pay for the installation and inspection. The letter stated that there are no outstanding issues from Groton Utilities with regard to the Mystic Weigh Subdivision. Staff read a memo from Greg Hanover in Public Works recommending that the roadway connection between the Mystic Weigh Subdivision and the Bel-Aire Subdivision (Ridgewood Drive), as proposed in the Mystic Weigh Subdivision plans, be approved.

George Collier, 235 Ridgewood Drive met with neighbors to compile a list of their main concerns. Mr. Collier submitted in writing a letter with comments and questions regarding access and traffic concerns in regard to the proposed Mystic Weigh Resubdivision. He stated that they are primarily concerned with the safety, security and character of the neighborhood. He also submitted signatures of neighbors that are in opposition to extending Oakwood Road into the Mystic Weigh Subdivision as a full access road.

Harold Millbauer, 250 Ridgewood Drive submitted a letter regarding an accident in Fairfield in which a dump truck driver plowed into a car killing a father and son. He feels that extending Oakwood Road would be courting disaster.

Scott Beckman, 161 Bel-Aire asked if stop signs would be added if the second connection is allowed.

Sherrard stated that he did contact the traffic authority regarding traffic in Bel-Aire. Stop signs, parking and other safety concerns will be looked into but are not within the boundaries or controls of the Planning Commission.

Ellie Young, 191 Ridgewood Drive asked that all the information in the record regarding traffic concerns be collected and forwarded to whoever could address their concerns.

Kelly Ivins, 62 Oakwood Road came with her 3 children. She is concerned with her children being able to walk to their grandparent's home or ride their bikes down the street. She asked that the Commission individually take into account what the neighborhood is asking.

Steinfeld stated that every subdivision that has come before this commission he has viewed personally, sometimes many times.

Harry Milbauer, 250 Ridgewood Drive asked if the developer would be using Oakwood as a construction entrance.

Attorney Heller indicated that the construction entrance would be off of Flanders Road except for the detention basin area. He stated that this application is for a 76 lot subdivision, which is consistent with the Plan of conservation and Development and the Subdivision Regulations of the Town. It will have an open space area to provide buffers for Eccleston Brook. The archaeological feature on the land will be mitigated because there will be underground utilities in the road where it is located. Attorney Heller explained how the traffic report was updated with the most recent DOT data on the adjacent road traffic. He asked that the waivers for sidewalks on Noank-Ledyard Road and one side of the interior roads be considered separately.

Roper has made himself very familiar with the subdivision and has walked his dog in this subdivision. He also appreciates the public's input. Staff clarified that both the 1993 traffic report and the update are in the file for the commission to review.

Sherrard has walked the site three times as well as the connections, the recreation area and appreciates the public's input in this hearing.

Gretchen Newsome, 56 Hilltop Road submitted a letter for the record.

Wendy MacFarland, 48 Bel-Aire Drive submitted a letter for the record asking that the Oakwood/Ridgewood intersection be an emergency access road She supported her argument by referring to sections of the subdivision regulations.

MOTION: To close the public hearing at the 7:50 p.m.

Motion made by Kane, seconded by Roper, so voted unanimously.

2. Crawford Way Subdivision, 123 Toll Gate Road (7 lots)

Chairman Sherrard opened the public hearing at 7:55 p.m. and Steinford read the legal ad. Debbie Marshal Baker, Cherenzia & Associates representing the applicant stated that this proposal is to make seven residential lots on two parcels. The parcels are the result of a free split that occurred last fall. The Pearson's own the original home, which will become lot 7 of the subdivision after their property lines are adjusted to provide better lot geometry and additional frontage. The Town has plans for future road reconstruction for Toll Gate Road. This project will take care of some of that project. The site line will be 300 ft in either direction with this plan. This plan will move the stone wall, whereas the town project would have removed it completely. The six new lots will have two units on each lot. The applicant is asking for a sidewalk waiver on one side of the interior road and is also asking for a waiver for a narrower 4ft sidewalk on Toll Gate Road. The Engineering Department would prefer not to see this sidewalk put in because it will be taken out when the Town does its project. Ms. Baker stated that a bituminous sidewalk might be a compromise if one is needed. City sewer and water serve the lots and each unit has its own separate meter and hook up. The present home will not become part of the condo association. Utilities will be underground and individuals will be responsible for their own trash. Each lot is over 30,000 S.F. and in the RU 20 zone. There is a buffer of trees along the rear of the property.

Staff stated that the remaining issues on the site are technical issues. Duplexes would be allowed on the 30,000 S.F. lots. The applicant would be modifying access to the original lot and under grounding utilities. Engineering has indicated that the sidewalk is a future CIP project. Staff stated that the sidewalk is in the Plan of Conservation and Development and the site is within walking distance to the elementary school. The Director of Parks and Recreation stated there was no desire for open space in this section of Town. Staff does not have comments yet from the fire marshal. Staff stated that there are some unused wells on the property that will need to be filled.

David Kagan explained that the homes would be marketed as condominiums for sale. The condo association would be in place to maintain the lots and outside of the homes but not the road.

Roper would like to see sidewalks on both sides of the road and asked staff when public works is proposing to start the sidewalk project. Baker stated that the centerline of the road has been marked.

MOTION: To continue the Crawford Way Subdivision public hearing to May 11, 2004.

Motion made by Pritchard, seconded by Steinford, so voted unanimously.

III. APPROVAL OF THE MINUTES OF April 13, 2004 and April 19, 2004 Special Meeting

MOTION: To approve the minutes of April 13, 2004 with the following modifications:

1. Page 2, Wendy MacFarland paragraph, "Fire Marshal" Fritz Hilbert
2. page 2, 1st paragraph, 6th line, "water" line
3. Page 2 1st paragraph, 8th line should read Noank Ledyard Road not Flanders Road
4. Page 6, under Haley Brook, 1st line, if should be "is"
5. Page 5, March 31, 2004 minutes motion should read "as written"
6. Page 7, comments regarding Mystic Cooperative Task Group should be under Report of commission
7. Page 4, Steinford had stated that if the hearing is continued only new information should be included.
8. Page 1, Diane Glemboski was in attendance at the meeting.

Motion made by Roper, seconded by Steinford, so voted unanimously.

MOTION: To approve the minutes of April 19, 2004 as written.

Motion made by Roper, seconded by Steinford, so voted unanimously.

IV. PUBLIC COMMUNICATIONS

Roper and Steinford had discussions with Councilor Natalie Billings regarding the Copp Dog Park and will discuss this under Report of Chairman.

V. SUBDIVISIONS

1. Mystic Weigh Subdivision, Flanders Road (76 lots)

MOTION: To table discussion until May 11, 2004.

Motion made by Roper, seconded by Steinfeld, so voted unanimously.

2. Ceravolo Subdivision, 177 Briar Hill Road (2 lots)

Munn was appointed to sit for Sherrard as a voting member.

MOTION: To grant a waiver of Section 4.8 (1) of the subdivision regulations to allow overhead utilities from relocated pole #0-01-2 to the existing one story house on lot 2 for the following reasons:

1. The request meets the requirements of Section 1.10 of the Subdivision Regulations.
2. The existing structure was built prior to the adoption of subdivision regulations.

Motion made by Roper, seconded by Pritchard, so voted unanimously.

MOTION: To approve the Ceravolo Subdivision, Briar Hill Road subject to the following modifications:

1. The existing overhead utilities shall be placed underground from pole GWE 10 to relocated pole 0-01-2 to serve lot 1.
2. Technical items as raised by staff shall be addressed.

Motion made by Roper, seconded by Steinfeld, so voted unanimously.

3. Crawford Way Subdivision, 123 Toll Gate Road (7 lots)

The public hearing was continued to May 11, 2004.

4. Woods walk Subdivision, 1101 & 1078 Pleasant Valley Road North (22 lots)

MOTION: To approve a 90-day extension of the statutory period to record the Woods Walk Subdivision.

Motion made by Steinfeld, seconded by Roper, so voted unanimously.

VI. SITE PLANS

1. Haley Brook Congregate Care, 2590 Gold Star Highway

Chairman Sherrard asked Munn to sit for him as a voting member and Steinfeld to sit as Acting Chairman. Jeff Dewey stated that they have an agreement with Groton Utilities to bring the water line half way down their frontage. The Fire Marshal is not requiring a second fire hydrant at this time. Access has been increased in the rear of the building so the fire trucks can get through. Newton Brainard explained that the balcony's would disturb the layout of the units and they are trying to keep the sale prices as low as possible. There are also alternate patios available. Roper asked about placement of bike

racks. The plan shows pervious pavers being used. Staff stated that if the applicant would like to change this to impervious pavement they would need to go before the Zoning Board of Appeals. Steinfeld feels something other than the pavers would be better.

MOTION: To approve a site plan for a Haley Brook Congregate Care Facility, 2590 Route 184 and 29 Pumpkin Hill Road, (Haley Brook Associates, Applicant) with the following modifications:

1. A detailed landscape plan of the patio, paths, and outside sitting areas that shows appropriate facilities, amenities (including bike racks), and landscaping to promote the socialization of the residents in these common/shared open space areas shall be reviewed and approved by the Director of Planning and Development prior to a building permit for the site.
2. The final plan shall provide details for the off site recreational component including signage, fitness equipment, benches, and pathways and shall be approved by the Director of Parks and Recreation.
3. All signage on the site shall meet the requirements of Section 7.3 of the Zoning Regulations.
4. A pre-construction meeting shall be held with the Town of Groton.
5. The following notes shall be added to the final site plan;
 - a) This project is approved under the Residential Life Care Community standards of Section 7.1-1 of the Zoning Regulations and the "Community Program and Amenities" is considered part of the approval of this Site Plan. No modification to the project or the "Community Program and Amenities" shall be made without approval from the Town of Groton.
 - b) The Residential Life Care/Common Interest Community Association shall oversee, provide, and contract for services as specified in the "Community Program and Amenities" once the developer relinquishes control of the Association. The Association shall continue to contract with an experienced Senior Resident Services Coordinator to provide services to the community as listed in the "Community Program and Amenities".
 - c) In accordance with the site plan approval for this project, compliance with the "Community Program and Amenities" and the necessary age and occupancy restrictions under Section 7.1-1 of the Zoning Regulations shall be maintained. Legal instruments incorporating said requirements shall be approved by the Town and in full effect and recorded in land records prior to the issuance of a certificate of occupancy.

6. The emergency access lane shall be an all-weather surface capable of supporting a 55,000 lb. truck with the design approved by the Fire Marshal and the Director of Planning and Development.
7. All technical items shall be addressed.

The Planning Commission notes that this approval constitutes a reduction of the requirements of Section 6.7- 6. B for private balconies or patios and Section 6.7- 6.G for the minimum site recreational area based on the site plan and justification provided by the applicant, and in accordance with the provisions of Section 6.7- 6.L including the following findings: 1) The reductions will be consistent with the intent of these regulations and 2) will result in the development of a residential life care community meeting the purposes and intent of Section 7.1.1.

The Planning Commission notes that the approved architectural plans meet the intent of Section 7.1-1.H. through the use of multiple and varied planes in the roofline and the façade that provides visual relief and consistency in scale and character with the surrounding neighborhood.

Motion made by Roper, seconded by Pritchard, so voted unanimously.

VII. NEW BUSINESS

1. Report of Commission

Roper stated that Natalie Billings called him regarding the Copp Property Dog Park and asked if the commission had received the utility comments. Roper provided a copy of the minutes to her, which showed that it was reviewed. Steinford also talked to Councilor Billings and assured her that it was considered thoroughly. Roper gave staff information to pass onto public works regarding recyclable and aerosol cans.

2. Zoning Board of Appeals referrals for May 12, 2004 public hearings

ZBA # 04-12 – 425 Gold Star Highway, Leo D'Antonino

MOTION: To recommend against this variance because there is no justification for a sign at 25' in height.

Motion made by Roper, seconded by Steinford, so voted unanimously.

3. Zoning Commission Referral for May 5, 2004

Special Permit #281, 760 Buddington Road (Arsenault, Applicant)

MOTION: To recommend in favor because it is a less intense use.

Motion made by Steinford, seconded by Roper.

4. New Applications

- a. Webster Bank, 688-698, 714 & 720 Long Hill Road
- b. Mystic Oil Co., 2414 & 2440 Gold Star Highway

VIII. REPORT OF CHAIRMAN

MOTION: To hold a Special Meeting at 6:30, on Tuesday May 11, 2004 to further address the Grove Avenue Subdivision matter.

Motion made by Sherrard, seconded by Steinford, so voted unanimously.

IX. REPORT OF STAFF - None

X. ADJOURNMENT

Motion to adjourn at 9:20 p.m. made by Roper, seconded by Steinford, so voted unanimously.

Respectfully submitted,

Margil Steinford